

CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

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| 1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other: | 5. DATE OF REQUEST: 04/28/17 | NEED RESPONSE BY: ASAP |
| 2. REQUESTOR NAME: | 6. COUNTY/ORGANIZATION: Contra Costa County | |
| 3. PHONE NO.: | 7. SUBJECT: CFAP Sponsor Deeming | |
| 4. REGULATION CITE(S): 63-102(s)(7), 63-102(s)(8), 63-403.2, 63-405, 63-503.49 | 8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). MPP 63-300.5(e)(2), MPP 63-300.5(e)(8), ACL 99-78; ACL 01-24, ACL 03-08, ACIN I-53-99, ACIN I-34-05, USDA FNS Noncitizen Guidance 6/2011), ACIN I-45-11 | |

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

If an applicant applies for CalFresh on 4/10/17 with an affidavit of support was signed on 3/16/15. Their date of entry was 4/10/16.

- 1) What would the CFAP deeming period be and when would they become eligible to Federal benefits with deeming.
- 2) Is the 5 year period for eligibility to federal benefits begin with the date of entry or he date the affidavit of support was signed.
- 3) When does the CFAP deeming period start.?
- 4) Is no deeming period for CFAP last only two years or can it be more based on the end of the 5 year period for federal eligibility?

10. REQUESTOR'S PROPOSED ANSWER:

- 1) CFAP deeming period would be from 3/16/15 through 02/2/2018. There would be no deeming from 3/1/18 - 03/31/2021 federal benefits with deeming would start on 4/1/2021
- 2) Date of entry
- 3) The deeming period starts from the date the affidavit of support is signed.
- 4) No it can last for more than two years depending on the date of entry for the 5 year wait period for federal eligibility.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

The CFAP deeming period is three years from the date the sponsor(s) signed the legally-binding affidavit of support pursuant to Section 213A of the INA. The document, date of entry and the noncitizen status must be verified through USCIS via SAVE. If the individual is CFAP-eligible in years 4 and 5, then deeming would not apply. If the individual later became federal eligible, then sponsor deeming would occur unless there was an exemption MPP 63-503.49.

ACIN I-45-11 and ACIN I-45-11E

FOR CDSS USE

DATE RECEIVED:

04/28/17

DATE RESPONDED TO COUNTY/ALJ:

SV 05/09/2017